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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL FIRE PROTECTION
ASSOCIATION, INC.,

Plaintiff,

vs.

SWETS INFORMATION SERVICES
PRIVATE LIMITED et al.,

Defendants.

Civil Action No. 1:18-cv-06029-KPF

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that pursuant to Rule 41 of the Federal Rules of Civil Procedure and a confidential settlement agreement dated December 2, 2020 executed between Plaintiff National Fire Protection Association, Inc. (“NFPA”) and Defendant Delon Spooner (“Mr. Spooner”) (hereinafter, the “Settlement Agreement”), the above-captioned action is voluntarily dismissed against Mr. Spooner without prejudice.

Accordingly, and for the reasons set forth in NFPA’s Motion to Vacate Default Judgment filed herewith, pursuant to Rule 60 of the Federal Rules of Civil Procedure, the Default Judgment and Permanent Injunction Order (the “Default Judgment Order”) issued on May 1,

2019 (Dkt. # 238) should be vacated as to Mr. Spooner, and any assets of Mr. Spooner that are currently frozen pursuant to the Default Judgment Order shall hereby be unfrozen and released.

The parties agree that, as between each other, each party shall bear its own attorneys' fees and costs.

Dated: 12/4/2020

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ORDER

This Court has reviewed the Stipulation set forth above. Good cause appearing,

IT IS ORDERED that:

1. The Default Judgement and Permanent Injunction Order entered on May 1, 2019 (the “Default Judgment Order”) (Dkt. # 238) is hereby vacated as to Defendant Delon Spooner (“Mr. Spooner”), and the above-entitled action is dismissed without prejudice against Mr. Spooner.
2. Any online marketplaces, financial institution(s), and/or payment processing provider(s) holding frozen assets of Mr. Spooner’s in their financial account(s) pursuant to the Default Judgement Order shall unfreeze said account(s) and release those funds.
3. As between each other, the parties shall bear their own attorney’s fees and costs.

SO ORDERED:



The Honorable Katherine Polk Failla
United States District Judge

Dated: December 4, 2020

Plaintiff's motion to vacate the Court's Default Judgment Order as to Mr. Spooner is GRANTED. The Clerk of Court is directed to terminate docket entry 344.